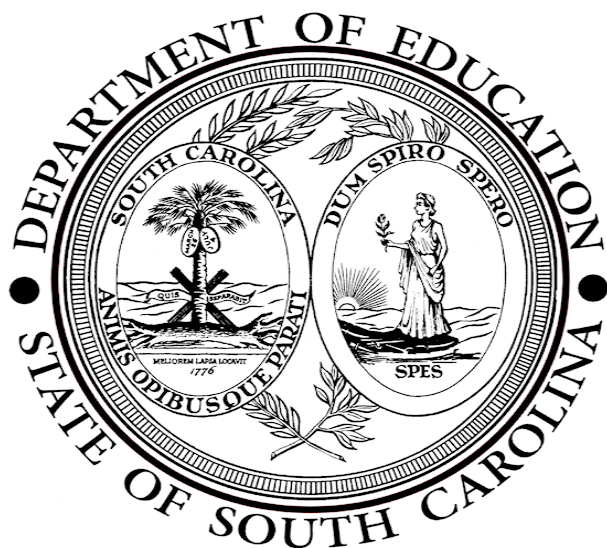


Flexibility through Deregulation

Program Guidelines



Issued by the
South Carolina Department of Education

For the 2013–14 School Year

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Section I

SBE Regulation 303:

Flexibility through Deregulation Program

Title of Policy:

Policy No.: R 43-303

**FLEXIBILITY THROUGH
DEREGULATION PROGRAM**

Effective Date: 6/25/04

Constitutional and Statutory Provisions:

Code Ann. Section(s):

59-5-60 (2004)	General powers of [State] Board.
59-18-1110 (2004)	Grant of flexibility of receiving exemption from regulations; criteria; continuation of and removal from flexibility status.
59-18-1120 (2004)	Grant of flexibility of exemption from regulations and statutes to school designated as unsatisfactory while in such status; extension to other schools.

Descriptor Code: None

State Board Policy:

R 43-303. Flexibility Through Deregulation Program

I. Program Implementation

The Education Accountability Act, S.C. Code Ann. §§ 59-8-1110 and 59-18-1120 (2002), provide for the recognition of schools based on student performance. Schools that continually receive recognition are rewarded by exemptions from regulations and statutes (59-18-1110). Special provisions also allow exemptions from some regulations or statutes to other schools (59-18-1120).

The State Department of Education (SDE) will operate the program in accordance with program guidelines developed by the State Board of Education (SBE) in consultation with the Education Oversight Committee (EOC). The guidelines shall include eligibility criteria, operation procedures, related monitoring activities, reporting requirements, and state statutes and regulations exempted under the program. Approved program guidelines will be made available by the SDE upon request. The SBE may revise program guidelines on an annual basis in consultation with the EOC. Current guidelines will be posted on the SDE Web site.

Schools deregulated under former flexibility through deregulation statute, S.C. Code Ann. § 59-18-15 (repealed), and former State Board of Education Regulation 43-303 (amended) must re-qualify for flexibility status under these regulations.

II. Eligibility Criteria

A. Eligibility for flexibility begins in February 2005.

B. A school may be eligible in one of three ways. Special conditions apply to each type of eligibility.

1. Criteria for Deregulated Schools

Each of the following criteria must be met during the three-year period prior to the school year in which the school is given flexibility status.

- a. The school has twice been a recipient of either a Palmetto Gold or Silver Award.
- b. The school has met annual improvement standards for subgroups of students in reading and mathematics.
- c. The school must have exhibited no recurring accreditation deficiencies.

2. Criteria for Unsatisfactory Schools

An unsatisfactory school may be given flexibility status when each of the following conditions is met:

- a. The statutes or regulations exempted must deal with the core academic areas.
- b. The External Review Team (ERT) recommends specific regulations and statutes for flexibility to the SBE in the ERT report.
- c. If recommended by the ERT, the school plan must be amended to explain how the exemption will improve school and student performance.

3. Criteria for Schools through School Plans

Schools may receive flexibility status when each of the following conditions is met:

- a. The school has met annual improvement standards for subgroups of students in reading and mathematics.
- b. Amendments to the school renewal plan must explain why exemptions are expected to improve the academic performance of the students.
- c. The plan meets the approval by the SBE.

III. Stability of School Grade Organization

Changes in grade structure that result in less than a majority of grades being maintained from the preceding school year will cause a school to be removed from flexibility status. The flexibility status is not transferable to another school if the school that has such status is closed or consolidated with another school.

IV. Notification of Schools and School Districts

The SDE will annually determine schools that are eligible to receive flexibility status based on meeting criteria as deregulated, meeting SBE criteria through a school plan, and meeting criteria for specific exemptions recommended by the ERT. The SBE must approve flexibility status for schools meeting SBE criteria through a school plan and for schools meeting criteria for specific exemptions recommended by the ERT. Flexibility status will be in effect immediately upon determination of

deregulated schools or approval by the SBE of other schools. The local boards of trustees, district superintendents, and principals of the schools will be notified by the SDE of their flexibility status.

V. Nonacceptance of Flexibility Status

- A. A local board of trustees may notify the SBE of its decision not to accept the flexibility status of a deregulated school within the district. Written notification by the local board of trustees will result in the school's immediate removal from flexibility status and the restoration of all statutory and regulatory requirements. Written notification for nonacceptance must be received within sixty days of the declaration of flexibility status.
- B. Subsequent monitoring by the SDE in a school that is removed from flexibility status will not include a review of program records for the exempted period.

VI. Continuation of Flexibility Status

- A. A deregulated school initially given flexibility status will be eligible to continue in that status provided that annually the following conditions are met:
 - 1. The school exhibits improvement at or above the state average as computed in the Palmetto Gold and Silver Awards Program pursuant to S.C. Code Ann. § 59-18-1100 (2002).
 - 2. The school must meet the gains required for subgroups of students in reading and mathematics.
 - 3. The school must have exhibited no recurring accreditation deficiencies.
- B. An unsatisfactory school initially given flexibility status through an approved ERT report will be eligible to continue in that status provided that annually the following conditions are met:
 - 1. The ERT reviews the overall improvement as outlined in the amended plan and recommends continuation.
 - 2. The school must meet the gains required for subgroups of students in reading and mathematics.
 - 3. The school must have exhibited no recurring accreditation deficiencies.
- C. A school initially given flexibility status through an amended school plan will be eligible to continue in that status provided that annually the following conditions are met:
 - 1. The school must exhibit overall improvement as outlined in the amended plan.
 - 2. The school must meet the gains required for subgroups of students in reading and mathematics.
 - 3. The school must have exhibited no recurring accreditation deficiencies.

VII. Application for Extension of Flexibility Status

A school that does not re-qualify for flexibility status may apply to the SBE for an extension of the status for one year, provided extenuating circumstances exist that account for its inability to meet the requirements to maintain that status. The district superintendent and school principal must make the application for extension to the SBE within thirty (30) days of the receipt of notification of the school's removal from flexibility status.

A school no longer unsatisfactory may apply for a one-year extension of flexibility status for those exemptions approved in the ERT report provided the district superintendent and school principal make the application for extension to the State Board of Education within thirty days (30) of the receipt of notification of the school's removal from unsatisfactory status.

VIII. Exemptions from Requirements

Schools receiving flexibility status are exempted from those regulatory and statutory provisions governing the defined program including, but not limited to, class scheduling, class structure, and staffing. Specific standards exempted appear in an appendix of the SBE-approved guidelines.

IX. Resumption of Statutory and Regulatory Requirements

A school removed from flexibility status will be subject to regulatory and statutory provisions exempted under this program at the beginning of the school year following notification of the change in status by the SDE. Nonacceptance of flexibility status requires compliance with all regulatory and statutory provisions immediately. Subsequent monitoring by the SDE in a school that is removed from flexibility status will not include a review of program records exempted under program guidelines for the period that the school was given flexibility status.

Section II

Flexibility through Deregulation Exemptions

Flexibility Through Deregulation Exemptions

- Schools identified by the South Carolina Department of Education (SCDE) as eligible for deregulation may take exemptions from specific portions of State Board of Education (SBE) Regulations 43-205, 43-209, 43-231, 43-232, and 43-234 provided in this section.
- This section provides the identified schools with the exemptions from specific portions of these SBE Regulations as noted by strikethroughs and text-boxes in the SBE Regulation text.
- Only schools identified by SCDE for flexibility through deregulation may exempt the strikethrough portions of the five regulations listed in this section.

Title of Regulation:

Regulation No.: R 43-205

**ADMINISTRATIVE AND PROFESSIONAL
PERSONNEL QUALIFICATIONS, DUTIES
AND WORKLOADS**

Effective Date: 05/25/07

Constitutional and Statutory Provisions:

S. C. Code Ann. Sections:

59-5-60(2004)

General powers of Board

20 U.S.C. § 6301 *et seq.* (2002)

No Child Left Behind Act of 2001

59-50-10 *et seq.* (Supp. 2004)

Descriptor Code: GBBA

State Board Regulation:

Administrative and Professional Personnel Qualifications, Duties, and Workloads

I. District-Level Administrative Personnel

Personnel employed as administrative assistants, supervisors, and consultants having responsibilities for supervising instructional programs and student services must hold a master's degree and be certified in their area of primary responsibility or must earn a minimum of 6 semester hours annually toward appropriate certification. The district superintendent must request from the Office of Educator Certification an out-of-field permit for members of the central staff who are not properly certified.

II. Prekindergarten through Grade Five

A. Professional Personnel Qualifications and Duties

1. Principals

individual

Each school with an enrollment of more than 375 students must be staffed with a full-time properly certified principal. Each school with an enrollment of fewer than 375 students must be staffed with at least a part-time properly certified principal. A principal's duties and responsibilities are to be prescribed by the district superintendent. The district superintendent must request an out-of-field permit from the Office of Educator Certification for each principal who is not properly certified.

2. ~~Assistant Principals or Curriculum Coordinators~~

Each school with an enrollment of 600 or more students must be staffed with at least one full-time ~~properly~~ certified assistant ~~principal or curriculum coordinator~~.

3. Teachers, Guidance Counselors, and Library Media Specialists

Each teacher, guidance counselor, and library media specialist must be ~~properly~~ certified by the State Board of Education. Additionally, teachers of core academic subjects must meet the “highly qualified” teacher requirements specified in the No Child Left Behind Act of 2001, 20 U.S.C. § 6301 *et seq.* (2002). The core academic subjects are English, reading or language arts, mathematics, science, foreign languages, civics, government, economics, history, geography, and the arts. The duties and responsibilities of teachers, guidance counselors, and library media specialists are to be prescribed by the school principal. ~~The district superintendent must request an out-of-field permit from the Office of Educator Certification for each eligible teacher, guidance counselor, and library media specialist who is not properly certified.~~

4. School Nurses

Each school nurse must hold a current license issued by the State Board of Nursing to practice as a professional registered nurse or as a licensed practical nurse who is working under the supervision of a professional registered nurse. The duties and responsibilities of a school nurse are to be prescribed by the principal in accordance with the laws and regulations governing nursing in South Carolina. If a school nurse works in more than one school, his or her duties and responsibilities are to be prescribed by the district superintendent or his or her designee in accordance with the laws and regulations governing nursing in South Carolina.

B. Professional Personnel Workload

1. Regular Education Teachers

- (a) ~~The average student teacher ratio in any school must not exceed 28:1 based on the average daily enrollment. The total number of teachers must include all regular, special-area, and resource teachers whose students are counted in the regular enrollment.~~
- (b) ~~Each district must maintain an average student teacher ratio of 21:1 based on the average daily enrollment in reading and mathematics classes in grades one through three.~~

- (c) ~~Class sizes must not exceed the following student teacher ratios:~~

Grade Level	Maximum Student-Teacher Ratio
Prekindergarten	20:1
Grades K-3	30:1
Grades 4-5, English language arts and mathematics	30:1
Grades 4-5, all other subjects	35:1

- (d) ~~Paraprofessionals may be counted in computing the student teacher ratio at the rate of .5 per paraprofessional if they work under the supervision of a teacher and make up no more than 10 percent of the total staff. Excluded from the computation are the following:~~

- (1) ~~teachers of self-contained special education classes, prekindergarten and kindergarten classes, principals, assistant principals, library media specialists, and guidance counselors; and~~
- (2) ~~students in self-contained special education classes, prekindergarten classes, or kindergarten classes.~~

2. Guidance Counselors and Specialists in Art, Music, and Physical Education

- (a) ~~Schools having any combination of grades one through five must employ the full-time equivalent (FTE) of a school guidance counselor and specialists in art, music, and physical education (PE) in the following ratios for each area:~~

Average Daily Enrollment	FTE	Minimum Allotted Time Daily
800 or more	1.0	300 minutes
640-799	.8	240 minutes
480-639	.6	180 minutes
320-479	.4	120 minutes
Less than 320	.2	60 minutes

- (b) Music teachers may teach a maximum of 40 students per class period. The total teaching load must not exceed 240 students per day. Exceptions: When band, chorus, and orchestra require rehearsals of their entire enrollment, any number is acceptable if adequate space is available.

- (c) PE teachers may teach a maximum of 40 students per class period. The total teaching load must not exceed 240 students per day. If PE and health are taught on alternate days by the same teacher to the same class, the 40-student maximum and 240-student total are also permitted for health. When health is taught as a separate subject, the teaching load is a maximum of 35 students per period and a total of 150 students per day.

3. Library Media Specialists

Schools ~~with fewer than 375 students~~ must provide at least half-time services of a certified library media specialist. ~~Schools with 375 or more students must provide the services of a full-time certified library media specialist.~~

4. Special Education Teachers

- (a) The teaching load for teachers of self-contained special education classes must not exceed the following student-teacher ratios:

Area	Maximum Ratio Based on Average Daily Enrollment
Mental Disabilities (mild)	15:1
Emotional Disabilities	12:1
Learning Disabilities	15:1
Mental Disabilities (moderate and severe) and Orthopedically Impaired	12:1
Visually Impaired	10:1
Deaf and Hard of Hearing	10:1

- (b) Cross-categorical self-contained classes must not exceed the following student-teacher ratios:

Area	Maximum Ratio Based on Average Daily Enrollment
Mental Disabilities (mild) and Learning Disabilities	15:1
Mental Disabilities (mild), Learning Disabilities, and Emotional Disabilities	12:1
Mental Disabilities (mild), Learning Disabilities, Emotional Disabilities, and Orthopedically Impaired	12:1

When four or more students identified as emotionally disabled or orthopedically impaired are enrolled in a cross-categorical class, a full-time teaching assistant must be employed.

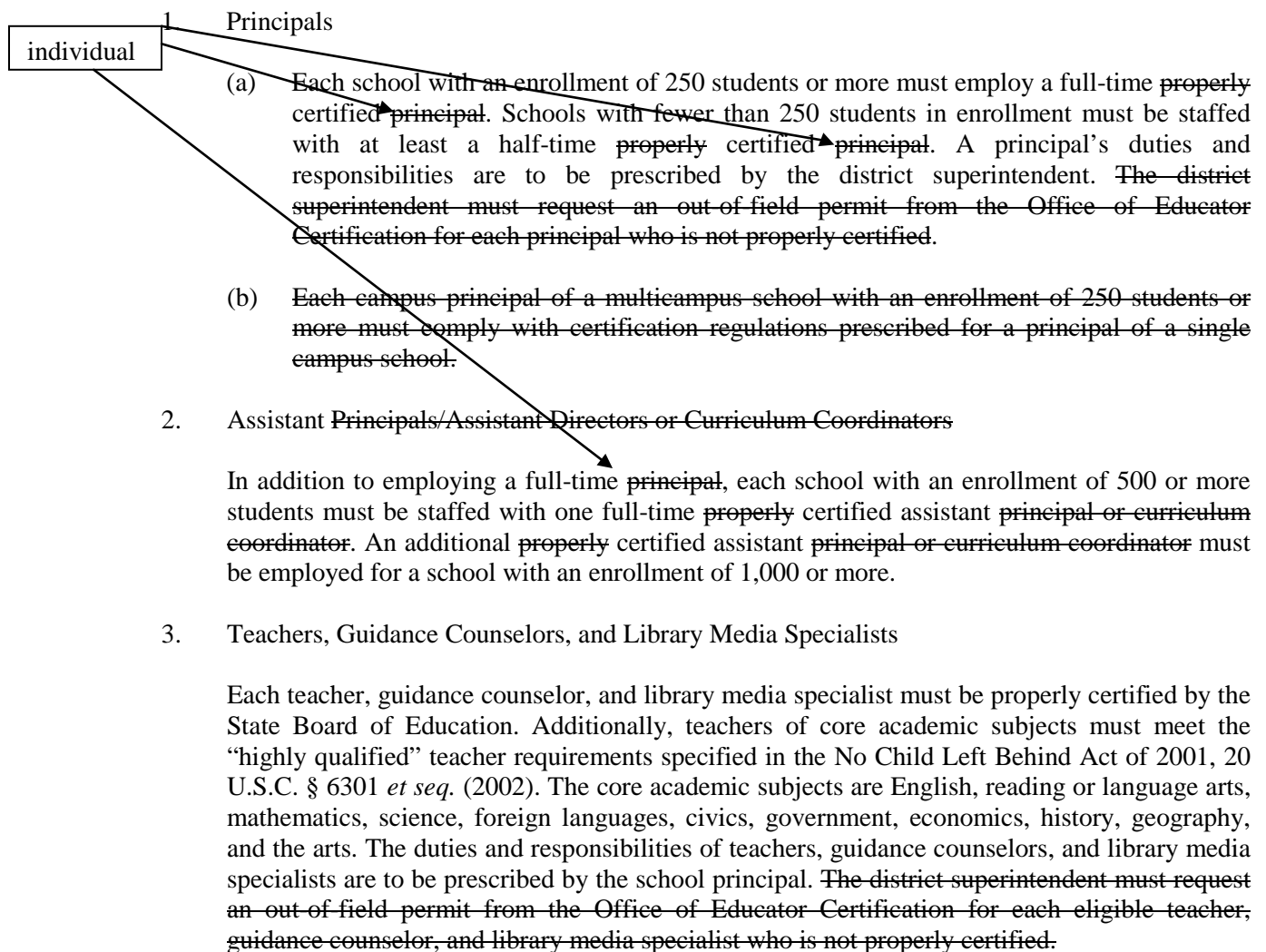
- (c) The maximum teaching load required for resource teachers and itinerant teachers for students with disabilities based on the average daily enrollment is as follows:

Area	Maximum Teaching Load
Mental Disabilities (mild)	33 students
Emotional Disabilities	33 students
Learning Disabilities	33 students
Mental Disabilities (moderate and severe) and Orthopedically Impaired	20 students
Visually Impaired	15 students
Deaf and Hard of Hearing	15 students

- (d) When resource teachers and/or itinerant teachers serve students with differing disabilities, the maximum teaching load must be determined by the majority of the students in enrollment in an area of disability.
- (e) The maximum caseload for speech language therapists must not exceed 60 students.

III. Grades Six through Eight

A. Professional Personnel Qualifications and Duties



4. School Nurses

Each school nurse must hold a current license issued by the State Board of Nursing to practice as a professional registered nurse or as a licensed practical nurse who is working under the supervision of a professional registered nurse. The duties and responsibilities of a school nurse are to be prescribed by the principal in accordance with the laws and regulations governing nursing in South Carolina. If a school nurse works in more than one school, his or her duties and responsibilities are to be prescribed by the district superintendent or his or her designee in accordance with the laws and regulations governing nursing in South Carolina.

5. Career Specialists

Each career specialist must work under the supervision of a certified guidance counselor. The career specialist must hold a bachelor's degree and must have earned either Global Career and Development Facilitator (GCDF) certification or Career Development Facilitator (CDF) certification. The guidance counselor may serve as the career specialist if he or she holds the GCDF or the CDF credential.

B. Professional Personnel Workload

1. Guidance Counselors

- (a) ~~Schools with fewer than 600 students must provide the services of a guidance counselor in the following ratios:~~

Enrollment	Minimum Allotted Time Daily
Up to 200	100 minutes
201 to 300	150 minutes
301 to 400	200 minutes
401 to 500	250 minutes
501 to 600	300 minutes

- (b) ~~Schools with an enrollment of 501 or more students must employ one full-time certified counselor. Schools with more than 600 students must provide guidance services at the ratio of one 50-minute period for every 100 students or major portion thereof.~~
- (c) A career specialist may be employed to provide career guidance services.
- (d) By the 2011–12 school year, the student-to-guidance personnel ratio will be reduced to 300 to 1 as funds become available.

2. Library Media Specialists

- (a) ~~Schools with fewer than 400 students must employ a library media specialist who devotes not less than 200 minutes daily to library media services.~~
- (b) ~~Schools with an enrollment of 400 or more students must employ a certified library media specialist devoting full time to library media services.~~

- (c) ~~Schools having an enrollment of 750 or more must employ an additional full time person (paraprofessional or certified library media specialist) in the library media center.~~

3. Classroom Teachers

- (a) ~~The teaching load must not exceed 150 students daily. No class may exceed 35 students in enrollment.~~

Grade Level	Maximum —Student Teacher Ratio
Grade 6, English language arts and mathematics	30:1
Grade 6, all other subjects	35:1
Grades 7–8	35:1

- (b) ~~A maximum of 40 students per class with a total teaching load of 240 students per day is permitted for music and PE teachers. If PE and health are taught on alternate days by the same teacher to the same class, the 40 student maximum and 240 student total are also permitted for health. When health is taught as a separate subject, the teaching load is a maximum of 35 students per class and a total of 150 students per day. Exceptions: When band, chorus, and orchestra require rehearsals of the entire enrollment, any number is acceptable if adequate space is available.~~
- (c) ~~When a teacher's daily schedule includes a combination of academic subjects and nonacademic subjects, the maximum daily teaching load must be calculated on the basis of 30 students per academic class and 40 students for each music or PE class. (Example: 3 classes of math with 30 students each = 90 + 2 classes of PE with 40 students each = 80. The teaching load totals 170 students. The teacher is not overloaded but does teach the maximum allowable.)~~
- (d) ~~Maximum teacher load requirements and individual class size limits are the same for minicourses as any other classes.~~

4. Special Education Teachers

- (a) The teaching load for teachers of self-contained classes must not exceed the following student-teacher ratios:

Area	Maximum Ratio Based on Average Daily Enrollment
Mental Disabilities (mild)	18:1
Emotional Disabilities	15:1
Learning Disabilities	18:1
Mental Disabilities (moderate and severe) and Orthopedically Impaired	15:1
Visually Impaired	12:1
Deaf and Hard of Hearing	12:1

- (b) Cross-categorical self-contained classes must not exceed the following student-teacher ratios:

Area	Maximum Ratio Based on Average Daily Enrollment
Mental Disabilities (mild) and Learning Disabilities	18:1
Mental Disabilities (mild), Learning Disabilities, and Emotional Disabilities	15:1
Mental Disabilities (mild), Learning Disabilities, Emotional Disabilities, and Orthopedically Impaired	15:1

When four or more students identified as emotionally disabled or orthopedically impaired are enrolled in a cross-categorical class, a full-time teaching assistant must be employed.

- (c) The maximum teaching load for resource teachers and itinerant teachers for students with disabilities based on the average daily enrollment is as follows:

Area	Maximum Teaching Load
Mental Disabilities (mild)	33 students
Emotional Disabilities	33 students
Learning Disabilities	33 students
Mental Disabilities (moderate and severe) and Orthopedically Impaired	20 students
Visually Impaired	15 students
Deaf and Hard of Hearing	15 students

- (d) When resource teachers and/or itinerant teachers serve students with differing disabilities, the maximum caseload must be determined by the majority of the students in enrollment in an area of disability.
- (e) The maximum caseload for speech-language therapists must not exceed 60 students.

IV. Grades Nine through Twelve

A. Professional Personnel Qualifications and Duties

individual

I. Principals/Directors

- (a) Each school must be staffed with a full-time properly certified principal/director whose duties and responsibilities must be prescribed by the district superintendent. ~~The district superintendent must request an out of field permit from the Office of Educator Certification for each principal/director who is not properly certified.~~
- (b) ~~Each campus principal of a multicampus school with an enrollment of 250 students or more must comply with certification regulations prescribed for a principal of a single-campus school.~~

2. ~~Assistant Principals/Assistant Directors or Curriculum Coordinators~~

(a) In addition to being staffed with a full-time ~~principal/director~~, each school with an enrollment of 400 to 499 students ~~must be staffed with at least one half-time properly certified assistant principal or the equivalent.~~

(b) In addition to being staffed with a full-time ~~principal/director~~, each school with an enrollment of 500 or more students must be staffed with at least one full-time properly certified assistant ~~and a principal/assistant director properly certified assistant principal or the equivalent for each additional 500 students.~~

individual

3. Teachers, Guidance Counselors, and Library Media Specialists

Each teacher, guidance counselor, and library media specialist must be properly certified by the State Board of Education. Additionally, teachers of core academic subjects must meet the “highly qualified” teacher requirements specified in the No Child Left Behind Act of 2001, 20 U.S.C. § 6301 *et seq.* (2002). The core academic subjects are English, reading or language arts, mathematics, science, foreign languages, civics, government, economics, history, geography, and the arts. Their duties and responsibilities are to be prescribed by the principal. The district superintendent must request an out-of-field permit from the Office of Educator Certification for each eligible teacher, guidance counselor, and library media specialist who is not properly certified.

4. School Nurses

Each school nurse must hold a current license issued by the State Board of Nursing to practice as a professional registered nurse or as a licensed practical nurse who is working under the supervision of a professional registered nurse. The duties and responsibilities of a school nurse are to be prescribed by the principal in accordance with the laws and regulations governing nursing in South Carolina. If a school nurse works in more than one school, his or her duties and responsibilities are to be prescribed by the district superintendent or his or her designee in accordance with the laws and regulations governing nursing in South Carolina.

5. School Transition Coordinators

When a school-to-work transition coordinator is employed, the coordinator must be certified ~~in one or more occupational subjects, have at least a bachelor’s degree, and have two years’ work experience. In lieu of these requirements,~~ a qualified person with an employment background in business or industry may be employed as a school-to-work transition coordinator if the person possesses at least a bachelor’s degree and five years of business/industry work experience in the fields of personnel or administration.

6. Career Specialists

Each career specialist must hold a bachelor’s degree and must have earned either Global Career and Development Facilitator (GCDF) certification or Career Development Facilitator (CDF) certification. The guidance counselor may serve as the career specialist if he or she holds GCDF or CDF certification. If this person is to provide classroom instruction, he or she must be certified.

B. Professional Personnel Workload

1. Guidance Counselors

- (a) ~~Schools with fewer than 600 students must provide the services of a guidance counselor in the following ratios:~~

Enrollment	Minimum Allotted Time Daily
Up to 200	100 minutes
201 to 300	150 minutes
301 to 400	300 minutes
401 to 500	250 minutes
501 to 600	300 minutes

- (b) ~~Schools with enrollments of 501 or more must employ one full-time certified counselor. Schools with more than 600 students must provide guidance services at the ratio of 50 minutes for each additional 51 to 100 students to the extent that the total school enrollment reflects a minimum of 50 minutes of guidance services for every 100 students.~~
- (c) A career specialist may be employed to provide career guidance services.
- (d) By the 2011–12 school year, the student-to-guidance personnel ratio will be reduced to 300 to 1 as funds become available.

2. Library Media Specialists

- (a) ~~Schools having an enrollment of fewer than 400 students must employ a library media specialist who must devote not less than 200 minutes daily to library media services.~~
- (b) ~~Schools with an enrollment of 400 or more students must employ a certified library media specialist devoting full time to library media services.~~
- (c) ~~Schools having an enrollment of 750 or more students must employ an additional full-time person (paraprofessional or certified library media specialist) in the library media center.~~

3. Classroom Teachers

- (a) ~~The maximum daily teaching load for teachers of academic classes is 150 students. No class may exceed 35 students in enrollment.~~
- (b) ~~A teacher must not be permitted to teach more than 1,500 minutes per week.~~
- (c) ~~A teacher must not be assigned classes requiring more than four preparations per day.~~
- (d) ~~A maximum of 40 students per class with a total teaching load of 240 students per day is permitted for music and PE teachers. If PE and health are taught on alternate days by the same teacher to the same class, the 40 student maximum and 240 student total are also permitted for health. When health is taught as a separate subject, the maximum teaching~~

~~load is 35 students per class and a total of 150 students per day. Exception: When band, chorus, and orchestra require rehearsals of the entire enrollment, any number is acceptable if adequate space is available.~~

- (e) ~~When a teacher's daily schedule includes a combination of academic and nonacademic subjects, the maximum daily teaching load must be calculated on the basis of 30 students per academic class and 40 students per music or PE class. (Example: 3 classes of math with 30 students each = 90 + 2 classes of PE with 40 students each = 80. The teaching load totals 170 students. The teacher is not overloaded but does teach the maximum allowable.)~~
- (f) In calculating teaching load, the number of students supervised in study hall by a regular teacher must be divided by 4 (example: 60 divided by 4 = 15). Study hall students must not be placed in an instructional class.

4. Special Education Teachers

- (a) The teaching load for teachers of self-contained classes must not exceed the following student-teacher ratios:

Area	Maximum Ratio Based on Average Daily Enrollment
Mental Disabilities (mild)	18:1
Emotional Disabilities	15:1
Learning Disabilities	18:1
Mental Disabilities (moderate and severe) and Orthopedically Impaired	15:1
Visually Impaired	12:1
Deaf and Hard of Hearing	12:1

- (b) Cross-categorical classes must not exceed the following student-teacher ratios:

Area	Maximum Ratio Based on Average Daily Enrollment
Mental Disabilities (mild) and Learning Disabilities	18:1
Mental Disabilities (mild), Learning Disabilities, and Emotional Disabilities	17:1
Mental Disabilities (mild), Learning Disabilities, Emotional Disabilities, and Orthopedically Impaired	16:1

When four or more students identified as emotionally disabled or orthopedically impaired are enrolled in a cross-categorical class, a full-time teaching assistant must be employed.

- (c) The maximum teaching load for resource teachers and itinerant teachers for students with disabilities based on average daily enrollment is as follows:

Area	Maximum Teaching Load
Mental Disabilities (mild)	33 students
Emotional Disabilities	33 students
Learning Disabilities	33 students
Mental Disabilities (moderate and severe) and Orthopedically Impaired	20 students
Visually Impaired	15 students
Deaf and Hard of Hearing	15 students

- (d) When resource room and/or itinerant teachers serve students with differing disabilities, the maximum caseload must be determined by the majority of the students in enrollment in an area of disability.
- (e) The maximum caseload for speech-language therapists must not exceed 60 students.

Title of Regulation: Regulation No.:

R 43-209

**NONPROFESSIONAL/
PARAPROFESSIONAL PERSONNEL
POSITIONS, QUALIFICATIONS AND
DUTIES**

Effective Date: 11/28/03

Constitutional and Statutory Provisions:

S. C. Code Ann. Section(s):

59-5-60 (1990)

59-19-270 (1990)

20 U.S.C. §6301 *et seq.* (2002)

General powers of [State] Board.

Trustees may employ medical, technical and clerical personnel.

No Child Left Behind Act of 2001

Descriptor Code: GCB

State Board Regulation:

43-209. Support Personnel/Paraprofessional Personnel Positions, Qualifications and Duties

A. Support personnel positions for school district superintendents and school principals

1. ~~Secretarial services shall be provided.~~

2. Custodial services shall be provided.

B. Paraprofessional personnel positions

1. Each teacher of trainable, orthopedically, emotionally, or visually disabled pupils in a self-contained classroom model shall have a paraprofessional full time, provided that the class has a minimum membership of four pupils.

2. Each teacher of a kindergarten unit shall have a paraprofessional full time.

C. Paraprofessional Personnel Qualifications and Duties

1. Paraprofessionals helping with classroom instruction or programs shall meet the following requirements:

a. All instructional paraprofessionals must be at least 18 years of age.

b. ~~All instructional paraprofessionals must have at least a high school diploma or state equivalency certificate.~~

c. Instructional paraprofessionals who work in a Title I school or a Title I targeted assistance program and who were hired after January 8, 2002, must either

(1) hold a two-year associate's degree from an accredited institution, or

(2) have completed two years (60 semester hours) of college coursework from an accredited institution, or

(3) have passed a state-approved examination of content knowledge and pedagogy.

d. Instructional paraprofessionals who work in a Title I school or a Title I targeted assistance program and who were hired before January 8, 2002, must meet the requirements listed in C.1.c. by January 8, 2006.

Compliance
required under
C.1.c.

~~All instructional paraprofessionals must work under the direct supervision of a certified teacher.~~

f. ~~All instructional paraprofessionals must participate in preservice and inservice training programs for instructional paraprofessionals.~~

2. The State Department of Education will maintain an electronic registry of instructional paraprofessionals that indicates whether the instructional paraprofessional has met the requirements listed in C.1.c.

Title of Regulation:

Regulation No.: R 43-231

DEFINED PROGRAM GRADES K-5

Effective Date: 06/27/97

Constitutional and Statutory Provisions:

Sections:

59-5-60(3 & 6).	General powers of [State] Board.
59-29-10, <u>et seq.</u>	Subjects of Instruction.
59-29-200.	Pupil-teacher ratios.
59-33-30.	Establishment by State Board of Education of program of specialized education for handicapped children; rules and regulations.
59-63-55.	Report required of certain injuries.

Code of Laws of South Carolina, 1976.

Descriptor Code: IDA

State Board Regulation:

Defined Program Grades K-5

Each school district board of trustees shall ensure quality schooling having a rigorous, relevant curriculum for all students.

Each school district shall examine the academic achievement standards adopted by the South Carolina State Board of Education. Elementary, middle, and high school faculty and staff shall work together to ensure that students are prepared to achieve these standards.

I. Basic Program/Curriculum, Kindergarten

The curriculum for children PreK-K shall consist of experiences and activities which will enhance their physical, emotional, social, and intellectual growth and development and help each child attain, at his own rate of speed, the educational goals set for the primary school.

II. Basic Program/Curriculum, Grades 1-5

Instruction in the subject areas shall be scheduled for each student ~~for a minimum of 1800 minutes or 30 hours per week including lunch, or the equivalent time on a yearly basis.~~ The subjects shall include, but not be limited to:

A. Subject Areas

English/Language Arts ¹
Mathematics
Science ²
Social Studies ²
Health and Safety ³
Physical Education ⁴
Visual & Performing Arts ⁵
Foreign Language ⁶

Schools must determine the amount of instructional time in a subject area as approved by the local board of trustees and the State Superintendent of Education. The school day must be at least six hours including lunch, or its equivalent weekly.

B. Alcohol and Drugs

Through special instruction, schools shall provide age-appropriate instruction regarding the dangers in the use and abuse of alcohol, tobacco, and other drugs. Instruction shall emphasize problems related to their use and effects upon the total community. Instruction shall be offered in all schools of the State and shall be studied and presented as thoroughly and in the same manner as all other required subjects in grades K-5.

C. Guidance Program

A comprehensive guidance program including career awareness, is required in schools having any combination of grades K-5.

D. Library/Media Program

Library media programs and technology resources are required and accessible to all students and staff and are appropriate to achieve the strategies and goals in each school renewal or district strategic plan.

-
1. English/Language Arts shall include reading, writing, listening and speaking.
 2. Environmental Education is required as an integral part of science, social studies, and health.
 3. Health and Safety shall include components as outlined in the Comprehensive Health Education Act.
 4. Students who are physically or mentally unable to take the physical education course provided for the regular student shall take a suitably modified course in physical education. (Section 59-29-80, S.C. Code of Laws, 1976, as amended.)
 5. Visual and Performing Arts shall include, but not be limited to, music and art.
 6. Foreign Language as a separate course is recommended but not required. If a separate course is not offered, foreign languages should be incorporated in the basic curriculum.

III. Innovative Approaches

A school encompassing any combination of grades K-5 may implement an innovative approach if it is approved by the local board of trustees and is incorporated in the school and district plans.

IV. Class Size, Grades K-5

- A. ~~The average pupil teacher ratio in any school shall not exceed 28 to 1 based on average daily membership. The total number of teachers shall include all regular, special area, and resource teachers whose pupils are counted in the regular membership.~~
- B. ~~Each district shall attain an average pupil teacher ratio based on average daily membership in the basic skills of reading and mathematics in Grades 1-3 as 21 to 1.~~
- C. Teacher aides may be counted in computing the ratio at the rate of .5 per aide if they work under the supervision of a teacher and make up no more than 10 percent of the total staff. Excluded from the computation are the following:
1. ~~Teachers of self-contained special education classes and kindergarten, principals, assistant principals, library/media specialists, and guidance counselors.~~
 2. ~~Pupils in self-contained special education classes and kindergarten.~~

~~Maximum class size shall not exceed the following:~~

- | | | | |
|----|-----------------------|-----------------|--|
| a. | Grades K-3 | 30:1 | |
| b. | Grades 4-5 | 30:1 | (English/language arts and mathematics) |
| | | 35:1 | (other subjects) |
| | | 40:1 | (physical education and music*) |

- * ~~Exception: When band, chorus, and orchestra require rehearsals of the entire membership, any number is acceptable if adequate space is available.~~

V. Additional Regulatory Requirements

Additional regulatory requirements related to the basic program include, but are not limited to, the following:

Gifted and Talented Regulation (43-220)
School-to-Work Regulation (43-225)
Health Education Requirement Regulation (43-238)
Summer Programs Regulation (43-240)
Special Education Regulations* (43-243 to 43-243.6)
Early Childhood Assistance Programs-Grade K-3 (43-267)
Academic Assistance Regulations-Grades 4-12 (43-268)

* A teacher of children with disabilities in the resource or itinerant model shall be certified or have a permit in the area of handicapping condition in which the majority are classified, or be certified in one area of handicapping condition in which the teacher is teaching and successfully complete six semester hours annually toward certification in the area in which the majority of students are classified. Pupils participating in self-contained programs shall be of the same category of disability. The teacher must be certified or hold an out-of-field permit in the area of handicapping condition of the pupils served.

VI. Student Records

1. Each school shall have an appropriate means of reporting academic achievement to parents.
2. The district shall maintain accurate student data according to the pupil accounting system prescribed by the State Department of Education. A record of all dropouts shall be filed by school, grade, race and sex. The superintendent shall verify the accuracy of the enrollment attendance, membership by category, and dropout reports submitted to the Office of Finance, State Department of Education.

VII. Emergency Closings

Full days missed because of weather or other circumstances must be made up. Early dismissal days shall be reported to the Director, Office of Organizational Development.

Title of Regulation:

Regulation No.: R 43-232

DEFINED PROGRAM GRADES 6-8

Effective Date: 06/27/97

Constitutional and Statutory Provisions:

Sections:

59-5-60(3 & 6).	General powers of [State] Board.
59-29-10, <u>et seq.</u>	Subjects of Instruction.
59-29-200.	Pupil-teacher ratios.
59-33-30.	Establishment by State Board of Education of program of specialized education for handicapped children; rules and regulations.
59-63-55.	Report required of certain injuries.

Code of Laws of South Carolina, 1976.

Descriptor Code: IDA

State Board Regulation:

Defined Program Grades 6-8

Each school district board of trustees shall ensure quality schooling by providing a rigorous, relevant curriculum for all students.

Each school district shall examine the academic achievement standards adopted by the South Carolina State Board of Education. Elementary, middle, and high school faculty and staff shall work together to ensure that students are prepared to achieve these standards.

I. Basic Program/Curriculum for Grades 6-8

Instruction in the subject areas shall be scheduled for each student ~~for a minimum of 1800 minutes or 30 hours per week including lunch, or the equivalent time on a yearly basis.~~ The subjects shall include, but not be limited to:

A. Subject Areas

English/Language Arts ¹
Mathematics
Sciences [#]
Social Studies ^{#,2}
Health ^{#,3}
Physical Education ⁴
Visual/Performing Arts ⁵
Exploratory Programs ⁶
Foreign Language ⁷

B. High School Credit

When approved by the principal and the parents, a student promoted to the seventh or eighth grade may take units of ninth grade or higher work for high school credit.

C. Alcohol and Drugs

Through special instruction, schools shall provide age-appropriate instruction regarding the dangers in the use and abuse of alcohol, tobacco, and other drugs. Instruction shall emphasize problems related to their use and effects upon the total community. Instruction shall be offered in all schools of the State and shall be studied and presented as thoroughly and in the same manner as all other required subjects in grades 6 through 8.

D. Guidance Program/School-to-Work Initiative

1. A comprehensive guidance program, including career development, is required in schools having any combination of grades 6-8.

Schools must determine the amount of instructional time in a subject area as approved by the local board of trustees and the State Superintendent of Education. The school day must be at least six hours including lunch, or its equivalent weekly.

A school which includes any combination of grades 5-8 when housed with grades 7 or 8 may elect for all of the combination of grades 5-8 to meet, on a subject by subject basis, the minimum instructional times or the minimum curriculum requirements for either grades 4-5 or grades 6-8, unless otherwise prohibited by law.

1. English/Language Arts shall include reading, writing, listening and speaking.
 2. Eighth grade social studies must include South Carolina history as it relates to the United States.
 3. Health shall include components as outlined in the Comprehensive Health Education Act.
 4. Students who are physically or mentally unable to take the physical education course provided for the regular student shall take a suitably modified course in physical education. (Section 59-29-80, S.C. Code of Laws, 1976, as amended.)
 5. Visual/Performing Arts shall include, but not be limited to, music and art.
 6. At least one elective of an occupational exploratory must be scheduled. Programs in areas such as, but not limited to, industrial technology education (grades 7-8), keyboarding, computer literacy, and career exploration may be included.
 7. Foreign Language as a separate course is recommended but not required. If a separate course is not offered, foreign languages should be incorporated in the basic curriculum.
- # Environmental Education is required as an integral part of science, social studies and health.

2. Each school district shall offer a range of mentoring opportunities for students beginning no later than the seventh grade. Students participating in any of the work-based programs shall have the written permission of their parents or legal guardians in order to engage in such experiences. Adult supervision shall be provided for mentoring opportunities.
3. Curriculum activities consisting of educational opportunities, career information resources and career development programs shall be included in subject areas for Grades 6-8.
4. Beginning in Grade 6, students and their parents and/or legal guardians in collaboration with appropriate school personnel shall prepare a plan for a variety of career options in which the student has an interest.
5. In Grade 7, students and their parents and/or legal guardians in collaboration with appropriate school personnel shall revise career planning records in which the student has an interest.
6. In Grade 8, students and their parents and/or legal guardians in collaboration with appropriate school personnel shall review and revise the career planning record. The record shall include a high school course of study based on a major plan and an alternate plan for career options in which the student has an interest and the postsecondary programs of study related to achieving a career goal.

E. Library/Media Program

Library media programs and technology resources are required and accessible to all students and staff and are appropriate to achieve the strategies and goals in each school renewal or district strategic plan.

II. Innovative Approaches

A school encompassing any combination of grades 6-8 may implement an innovative approach if it is approved by the local board of trustees and is incorporated in the school and district plans.

III. Class Size, Grades 6-8:

- A. ~~The maximum teacher load shall not exceed 150 students daily. Maximum class size shall not exceed the following:~~

Grade 6	30:1	(English/language arts and math)
	35:1	(other subjects)
Grades 7-8	35:1	(all academic and exploratory subjects)

~~No class shall exceed 35 students in membership.~~

- B. Exceptions:

1. ~~A maximum of 40 students per period with a total teaching load of 240 students daily is permitted for physical education teachers. If physical education and health are taught on alternate days to the same class, the 40 student maximum and 240 student total is also permitted~~

~~for health. When health is taught as a separate subject, the teaching load is a maximum of 35 students per period and a total of 150 students per day.~~

- ~~2. Music teachers may teach a maximum of 240 pupils daily. No class shall exceed 40 students in membership. Exception: When band, chorus, and orchestra require rehearsals of the entire membership, any number is acceptable if adequate space is available.~~
- ~~3. When a teacher's daily schedule includes a combination of subjects, the maximum daily teaching load shall be calculated on the basis of 30 students per academic class and 40 students for each music or physical education class. (Example: 3 classes of math of 30 each = 90 + 2 classes of P.E. of 40 each = 80. Teacher is not overloaded but teaches maximum allowable.)~~

~~Maximum teacher load requirements and individual class size limits are the same for mini courses as any other classes.~~

IV. Additional Regulatory Requirements

Additional regulatory requirements related to the basic program include, but are not limited to, the following:

Gifted and Talented Regulation (43-220)
School-to-Work Regulation (43-225)
Health Education Requirement (43-238)
Summer Programs Regulation (43-240)
Special Education Regulations * (43-243 to 243.6)
Academic Assistance Regulations-Grades 4-12 (43-268)

V. Student Records

1. Each school shall have an appropriate means of reporting academic achievement to parents.
2. The district shall maintain accurate student data according to the pupil accounting system prescribed by the State Department of Education. A record of all dropouts shall be filed by school, grade, race and sex. The superintendent shall verify the accuracy of the enrollment attendance, membership by category, and dropout reports submitted to the Office of Finance, State Department of Education.

VI. Emergency Closings

Full days missed because of weather or other circumstances must be made up. Early dismissal days shall be reported to the Director, Office of Organizational Development.

* A teacher of children with disabilities in the resource or itinerant model shall be certified or have a permit in the area of handicapping condition in which the majority are classified, or be certified in one area of handicapping condition in which the teacher is teaching and successfully complete six semester hours annually toward certification in the area in which the majority of students are classified. Pupils participating in self-contained programs shall be of the same category of disability. The teacher must be certified or hold an out-of-field permit in the area of handicapping condition of the pupils served.

Title of Regulation:

Regulation No.:

R43-234

**DEFINED PROGRAM, GRADES 9-12
AND GRADUATION REQUIREMENTS**

Effective Date:

06/28/13

Constitutional and Statutory Provisions:

Section(s):

59-5-60	General powers of [State] Board.
59-18-110	Objectives
59-29-10, <u>et seq.</u>	Short title
59-29-200	Pupil-teacher ratios
59-33-30	Establishment by State Board of Education of program of specialized education for handicapped children; rules and regulations
59-53-1810	Federal act accepted; State Board of Education designated as State Board of Vocational Training

Code of Laws of South Carolina, 1976.

20 U.S.C. 1232(g)	Family Education Rights and Privacy Act
20 U.S.C. 6301, <u>et seq.</u>	Federal No Child Left Behind (NCLB)

U.S. Code of Laws

State Board Regulation:

Defined Program, Grades 9–12 and Graduation Requirements.

Each school district board of trustees must ensure quality schooling by providing a rigorous, relevant curriculum for all students.

Each school district must offer a standards-based academic curriculum organized around a career cluster system that provides students with individualized education choices.

I. Requirements for Earning a South Carolina High School Diploma

- A. The student must earn a total of twenty-four units of credit as follows:
Unit Requirements

English language arts	4.0
mathematics	4.0
science	3.0
U.S. History and Constitution	1.0
economics	0.5
U.S. Government	0.5
other social studies	1.0
physical education or Junior ROTC	1.0
computer science (including keyboarding)	1.0
foreign language or career and technology education	1.0
electives	7.0

	24.0 total

- B. The student must pass a classroom examination on the provisions and principles of the United States Constitution, the Declaration of Independence, the Federalist papers, and American institutions and ideals. This instruction must be given for a period of at least one year or its equivalent, either within the required course U.S. History and Constitution or within another course. (For specific regulations regarding the end-of-course test for U.S. History and Constitution, see R 43-262.4, End-of-Course Tests.)
- C. The student must pass a high school credit course in science in which an end-of-course examination is administered.
- D. The student must be enrolled for a minimum of one semester immediately preceding his or her graduation, except in case of a bona fide change of residence. Units earned in a summer school program do not satisfy this requirement.
- E. The student must pass both parts of the South Carolina high school exit examination in addition to earning the required number of prescribed units. (For specific regulations regarding the exit examination, see R 43-262, Assessment Program.)

II. Provisions for Schools in the Awarding of High School Credit

- A. A school may award and accept credit in units of one-fourth, one-half, and a whole.
- B. A school may award one unit of credit for an academic standards-based course that requires a minimum of 120 hours of instruction. A school may award one-half unit of credit for an academic standards-based course requiring a minimum of 60 hours of instruction and one-fourth unit of credit for an academic standards-based course requiring a minimum of 30 hours of instruction.
- C. A school may award credit for courses that have been approved by the South Carolina Department of Education (SCDE) in a proficiency-based system. A proficiency-based course may also be offered for one-fourth and one-half unit if the system specifies these units. Each school district that seeks to implement a proficiency-based system must submit a plan to the SCDE that provides procedures for establishing and developing a proficiency-based system including the method for determining proficiency. The SCDE must approve the district-submitted plan prior to the district's use of the proficiency-based system. Districts are accountable for making sure that the academic standards and the individual learning needs of the students are addressed.
- D. A school may award credit for those gateway courses that are a part of the End-of-Course Examination Program only if a student takes the course approved by the school in which he or she is enrolled and meets all the stipulated requirements of the End-of-Course Examination Program. (For specific regulations regarding end-of-course tests, see R 43-262.4, End-of-Course Tests.)
- E. A school may award credit only for courses in summer programs-either district-wide or school-site programs-that meet all the regulatory requirements for courses offered for students in grades nine through twelve. A district-wide summer school program may meet the administrative certification requirement by employing a district supervisor as well as a lead teacher for each school site.
- F. A school may award credit for a course that is approved by the district-whether that school offers the particular course or not-if the student receives prior approval.

- G. A school may award credit toward the high school diploma for a course that the student takes in an approved adult education program if the course is granted approval by the local superintendent or his or her designee.
- H. A school may award credit for locally designed courses under the following conditions:
 - 1. Locally designed subject-area courses must be aligned with the state academic standards for the particular subject area and must be approved by the local board of trustees and the State Superintendent of Education.
 - 2. Locally designed elective courses must be approved by the local board of trustees. No more than two units may be awarded to a student for released-time classes in religious instruction.
 - 3. Locally designed CATE courses funded with state or federal CATE monies must be approved by the SCDE's Office of Career and Technology Education.
- I. A school may award the PE credit for a diploma if the PE course meets all statutory requirements including the personal fitness and wellness component and the lifetime fitness component.
- J. A school may award the one-half unit of credit carried by the course Keyboarding for half of the required computer science unit.
- K. A school may award credit for the American Sign Language course as the required unit in a foreign language.
- L. A school may award credit for a college course that students in grades nine through twelve take under the district's dual credit arrangement.

III. Dual Credit Arrangement

- A. District boards of trustees may establish a policy allowing students to take college courses for units of credit toward the high school diploma. The district policy may allow for courses to be offered by an institution of higher education through a cooperative agreement.
- B. A three-semester-hour college course transfers as one unit of credit.
- C. Tuition costs and any other fees are the responsibility of the individual student or his or her parent(s) or legal guardian unless otherwise specified in local school district policy.
- D. Students enrolled in a South Carolina public school may take only courses that are applicable to baccalaureate degrees or to associate degrees offered by institutions accredited by the New England Association of Colleges and Schools, the Middle States Association of Colleges and Schools, the Southern Association of Colleges and Schools, the North Central Association of Colleges and Schools, the Western Association of Colleges and Schools, or the Northwest Association of Colleges and Schools.

IV. Transfer Students

A transfer student is one who enrolls in a South Carolina public school after having been enrolled in another school in this state or in a school in another state. Credits that he or she earned at the former school may be

accepted and applied toward the South Carolina high school diploma. (For specific regulations see R 43-273, Transfers and Withdrawals.)

V. Instructional Program

School districts must organize high school curricula around a minimum of three clusters of study and cluster majors. Such curricula must be designed to provide a well-rounded education that fosters artistic creativity, critical thinking, and self-discipline through the teaching of academic content and skills that students will use in postsecondary study and in the workplace. Students must declare an area of academic focus, also known as a career major, within a cluster of study before the end of the second semester of their tenth-grade year.

- A. Schools must offer specific courses in the subject areas listed below. Courses designated with an asterisk are recommended, not required.

English language arts:

English 1, 2, 3, 4

Mathematics:

Algebra 1, Mathematics for the Technologies 1, 2, 3, 4*

Algebra 2, Geometry

Pre-calculus, Calculus

Discrete Mathematics*, Probability and Statistics

Science:

Physical Science

Earth Science*

Biology 1, Biology 2*, Applied Biology 1, 2*

Chemistry 1, Chemistry 2*, Chemistry for the Technologies

Physics, Physics for the Technologies 1, 2*

Social Studies:

U.S. History and Constitution

U.S. Government

Economics

World History and World Geography

- B. Career Clusters

School districts must use the sixteen clusters for reporting purposes but may modify these clusters (for example, Arts and Humanities in place of Arts, Audio-Video Technology, and Communications). The sixteen state clusters are the same as the sixteen federal clusters:

Agriculture, Food, and Natural Resources

Architecture and Construction

Arts, Audio-Video Technology, and Communications

Business, Management, and Administration

Education and Training

Finance

Government and Public Administration

Health Science

Hospitality and Tourism
Human Services/Family and Consumer Sciences
Information Technology
Law, Public Safety, and Security
Manufacturing
Marketing, Sales, and Service
Science, Technology, Engineering, and Mathematics
Transportation, Distribution, and Logistics

C. Schools must also offer instruction in each of the following areas:

1. Advanced Placement: Schools whose organizational structure includes grades eleven and twelve must offer Advanced Placement courses. (For specific regulations regarding the Advanced Placement program, see R 43-258.1, Advanced Placement.)
2. Alcohol, tobacco, and other drugs: Schools must provide age-appropriate instruction regarding the dangers in the use and abuse of alcohol, tobacco, and other drugs. Instruction must emphasize the negative effects that the use of such substances can have on the total community.
3. Career and technology education: Schools must offer CATE courses. Students who plan to complete a CATE program must earn at least four units in an approved sequence of CATE courses leading to a career goal.
4. Driver education: Schools must provide a complete program of driver education, including classroom and behind-the-wheel phases, each semester on an elective basis for eligible students. (For specific regulations regarding driver education, see R 43-242, Driver Training.)
5. Environmental studies: Schools must include environmental studies as a part of their instructional program.
6. Financial literacy: Schools must include financial literacy as a part of the instructional program.
7. Foreign language (modern and classical languages): Schools must offer levels 1 and 2 of at least one modern or classical language. Most state four-year colleges/universities require at least two units of the same modern or classical language for admission.
8. Health education: Schools must have a program of instruction in comprehensive health education. (For specific requirements regarding health education, see R 43-238, Health Education Requirement.)
9. Physical education: Schools must offer a physical education course that meets statutory requirements.
10. Visual and performing arts: Schools must offer courses in the visual and performing arts.

VI. Other Program Requirements

A. Guidance Program

All schools encompassing any combination of grades nine through twelve are required to provide a comprehensive guidance program that is based on grade-specific standards. The standards must

address the academic, personal and social, and the career domains. Specifically, students must be provided guidance and career awareness programs and activities that assist them in developing and fulfilling their individual graduation plans and prepare them for a seamless transition to relevant employment, further training, or postsecondary study.

B. Library Media Program

Library media programs and technology resources must be available and accessible to all students and staff and must be appropriate for the accomplishment of the strategies and goals in each school renewal or district strategic plan.

C. Length of School Day

1. The instructional day for secondary students must be at least 6 hours, excluding lunch, or the equivalent weekly.
2. ~~Homeroom will not count as part of the instructional day. When no homeroom period is utilized, the administrative time that is used to determine attendance, make announcements, or complete other tasks normally accomplished during homeroom period will not be considered as part of the instructional day.~~
3. ~~Schools may exercise options and vary the number of minutes in the instructional week, provided that such variation meets statutory requirements and is approved by the local board of trustees.~~

D. Class Size

1. The teacher load must not exceed the maximum of 150 students daily. Class size must not exceed the maximum of 35 students.
2. The above-stated maximums do not apply in the following circumstances:
 - a. ~~A maximum of 40 students per period with a total teaching load of 240 students daily is permitted for physical education teachers. If physical education and health are taught on alternate days to the same class, the 40 student maximum and 240 student totals are also permitted for health. When health is taught as a separate subject, the teaching load is a maximum of 35 students per period and a total of 150 students per day.~~
 - b. ~~Music teachers may teach a maximum of 240 pupils daily. No class may exceed 40 students in membership. However, when band, chorus, or orchestra require rehearsals of the entire membership, any number of students is acceptable if adequate space is available.~~
 - c. ~~When a teacher's daily schedule includes a combination of subjects, the maximum daily teaching load will be calculated on the basis of 30 students per academic class and 40 students for each music or physical education class. (Example, 3 classes of math of 30 each = 90 + 2 classes of physical education of 40 each = 80. In this example, the teacher is not overloaded but teaches maximum allowable.)~~
 - d. ~~Maximum teacher load requirements and individual class size limits are the same for mini courses as for any other classes.~~

E. Additional Regulatory Requirements

1. Due to federal requirements, all students must take a science course for which an assessment is given.
2. For state accountability purposes, every student must take an end-of-course examination in biology.
3. State Board regulations that contain instructional program requirements are accessible on the SCDE Web site on the “State Board of Education Regulations Table of Contents” page.

VII. Reporting Requirements

A. High School Completers

1. Each school issuing the state high school diploma must submit to the State Superintendent of Education on or before May 1 the following data on its previous year’s completers:
 - (a) the number of the school’s completers who entered the freshman class of a postsecondary institution-either in South Carolina or out of state-and on whom such an institution has sent the school a first-term transcript or summary grade report,
 - (b) a breakdown of all postsecondary courses that this group of completers passed during their term,
 - (c) a breakdown of all postsecondary courses that this group failed during their first term,
 - (d) a breakdown of all postsecondary courses for which this group received a grade of “no credit” during their first term, and
 - (e) the number of the school’s completers who did not enter a postsecondary institution but who instead chose a postsecondary alternative such as employment or military service or for whom no information is available.
2. Each school must use the official form to submit the required data on its previous year’s completers.

B. Career and Technology Education Completers

Each district must survey all its high school graduates who are identified as career and technology education completers to determine their placement status with regard to employment, postsecondary education, and military service. A career and technology education completer is a student with an assigned Classification of Instructional Programs (CIP) code who has earned at least four units of credit in CATE courses leading to a career goal.

The district must conduct the survey ten months after graduation each year and must submit the results annually to the SCDE for the purpose of federal and state accountability requirements.

C. Student Records

1. Each school must have an appropriate means of reporting academic achievement to parents.

2. Each school district must maintain accurate student data according to the pupil accounting system prescribed by the SCDE.
3. Each school district must file a record of all dropouts that specifies for every student the name of the school in which he or she was enrolled and gives the following information on the student: his or her name, grade, race, sex, date of birth, free/reduced meals status, English proficiency status, and migrant status.
4. Each district superintendent must verify the accuracy of the student enrollment, attendance, membership by category, and dropout reports submitted to the SCDE's Office of Finance.
5. Each school must comply with the Family Educational Rights and Privacy Act regarding student records (20 U.S.C. Section 1232(g)).

D. Course Records for Students

1. Each district superintendent must verify the accuracy of course records for students.
2. The name and code number of every course that each student takes must be entered into the student data collection system active master scheduler at the time the student takes the course. Courses may not be added to the student's course history (transcript) without first being entered into the scheduler.
3. Courses offered in nontraditional settings such as online courses, courses offered in conjunction with a college or technical college (i.e., dual credit), and courses offered by the school through the district, state, or another type of provider must be included in the active master scheduler.

VIII. Emergency Closings

Full school days missed because of weather or other unforeseen circumstances must be made up. Three days within a school calendar must be designated as makeup days. A plan to make up days by lengthening the school day by more than one hour must be approved by the SCDE. Early dismissal days must be reported to and approved by the director of the Office of Federal and State Accountability.

Section III

Application for Flexibility through Deregulation using the School Renewal Plan

Directions for Application for Flexibility through Deregulation using the School Renewal Plan

In accordance with the SBE Regulation 43-303, schools may receive flexibility status when each of the following conditions are met:

- The school has met annual improvement standards for subgroups of students in reading and mathematics.
- Amendments to the school renewal plan must explain why exemptions are expected to improve the academic performance of the students.
- The school renewal plan meets the approval by the SBE.

Schools approved for flexibility status will be notified according to these guidelines.

A school initially given flexibility status through an amended school plan will be eligible to continue in that status provided that the following conditions are met annually:

- The school must exhibit overall improvement as outlined in the amended plan.
- The school must meet the gains required for subgroups of students in reading and mathematics.
- The school must have exhibited no recurring accreditation deficiencies.

Submission Procedure

1. Complete the application on page 48 and attach the school renewal plan to the application.
2. Applications and the school renewal plan must be submitted to Office of Federal and State Accountability, South Carolina Department of Education, 1429 Senate Street, Room 501, Columbia, SC 29201.
3. Applications and the school renewal plan **must be received** at the Office of Federal and State Accountability, South Carolina Department of Education **by 5:00 P.M. on December 1** of the applicable school year. Any proposal or modifications of a proposal received after this deadline will not be considered.
4. Postmark dates will have no bearing with respect to the deadline.
5. Proposals **may not** be sent via fax or electronically.
6. An original and three copies of the applications and the school renewal plan, with appropriate signatures, must be submitted. Signatures must be original. Rubber-stamped signatures are not acceptable.

Application for Flexibility through Deregulation Using the School Renewal Plan

School Year _____ – _____

Submit this application and the school renewal plan to the following address:

Office of Federal and State Accountability
South Carolina Department of Education
1429 Senate Street, Room 501
Columbia, SC 29201

Applications and the school renewal plan **must be received** at the Office of Federal and State Accountability, South Carolina Department of Education **by 5:00 P.M. on December 1** of the applicable school year. Any proposal or modifications of a proposal received after this deadline will not be considered.

School: _____ District: _____

Address: _____ City and zip: _____

Principal: _____ Work phone: _____

E-mail address: _____

Superintendent: _____ Work phone: _____

E-mail address: _____

Required signatures:

Principal's signature: _____ Date: _____

Superintendent's signature: _____ Date: _____

Board chairperson's signature: _____ Date: _____

Answer the following questions and submit multiple pages as necessary.

1. Briefly explain how your school will use its flexibility status to meet interim goals for student achievement based on current research and best practices.
2. The school plan must meet SBE criteria for the planning process. Attach a copy of the school renewal plan.

